

October 3, 2019

Agricultural Land Uses in the National Scenic Area

Notes from Breakout Session

Topic: Environmental Protections, Conservation, and Impacts to Natural Resources

New grazing operations, if they do not require new buildings or structures, are not subject to a National Scenic Area permit with natural resources review. The group noted there seem to be very few grazing operations in the National Scenic Area currently (on private or public lands) and also few new grazing operations being proposed. State agencies might be the place to look for recommendations if permit requirements are something the Commission chooses to pursue.

Natural Resource Buffers, particularly **streams**. WDFW has riparian buffer recommendations for fish-bearing streams. Planners shared that currently in SMA, fish-bearing streams require a 200-foot buffer, while in GMA a 100-foot buffer is required. The recommendations from WDFW could support an increase in GMA stream buffers for fish-bearing streams to be increased to approximately 200 feet.

Natural resource enhancements – streams, habitats, forest health improvements. Currently, when landowners or organizations want to do natural resource enhancement projects, they are required to pay and go through the NSA permitting process. There may be opportunities to exempt or to expedite natural resource enhancement projects.

Human disturbance to wildlife. Recreation and other human uses can create unanticipated effects by pushing wildlife into residential and populated areas and creating human-wildlife conflicts. The Recreation Focus Topic leads may need to consider focusing certain places for more intensive human uses or creating “quiet areas” for wildlife.

Conversion of Forest Lands to Agriculture. This is an allowed land use change, under the current management and under state Forest Practices rules. Agriculture is allowed in Forest Lands and all Land Use Designations. There are places in Skamania County where this conversion has been happening recently. Concerns include soil erosion and impacts to water resources and habitats.

Review/permitting redundancy. If a USDA certification or other recognized certification is done for an operation, is it necessary to also have an NSA permit requirement? We could encourage conservation by making it easier for them to participate via established programs with other agencies permitting.

Ensure no net loss of habitats. The group discussed what this might look like. There could be a mitigation bank established and options to set portions of properties aside for conservation purposes to offset impacts to sensitive habitats.

Water pollutions – Total Max Daily Load (TMDLs). Army Corps and EPA have new responsibilities to monitor and protect water quality along the Columbia.

Railroads and coal dust, pollution. Coal dust, either from the tops or from under cars, pollutes the river. Crashes could introduce pollutants as well. Staff explained that the Gorge Commission is currently in litigation with the railroads and not able to pursue this issue, though we are interested in learning more about public concerns and suggested solutions.

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Data and information to track progress. The Commission should establish a “dashboard” of data about land uses, changes, and resources. Staff shared that we do maintain resource data on streams, wetlands, wildlife, and plants and that we are working hard to build staff capacity to obtain, maintain, and analyze NSA specific data. The Vital Signs Indicator staff position was finally funded for this biennium after years of requests to both state legislatures. Doing a more detailed spatial analysis of acres in production or acres in timber harvest has been a desire but not a priority, given that we have 1 half time GIS specialist.

Climate change impacts need to be considered. Where are impacts going to be greatest? Screening trees are harder to maintain as climate change continues. Topographic screening is important. Non-native trees might survive better than natives (which are currently required in some situations). Species are moving, especially up slope

Water quality concerns. Residents have observed herbicide and pesticide spraying along roadsides and rail right-of-ways near wetlands, sensitive areas, and their properties/crops. These uses may not be ones that the Gorge Commission has authority to influence, however we can contact the relevant agencies (ODOT, DEQ, and Counties) to learn more. On the WA side, Department of Ecology has a complaint system called ERTS.

Wildlife preparedness/protection. The group discussed fire breaks and buffers for fire protection. See also the discussion above on enhancement projects. Forest thinning to reduce fire risk, consistent with state or federal guidance, should not be hindered by the plan. Concern for illegal camp fires came up. The Commission does not directly regulate this use, but both agencies (CRGC and Forest Service) can take this under advisement.

Management Plan Land Use Designations – Are they still relevant today?

Topic: Ag-related Tourism and Emerging Trends Impacting Quality of Life and “Rural Character”

Defining commercial use. The definition of “event” and “commercial activities” is unclear. Wine sales at a tasting rooms, and renting a venue for a wedding are quite different commercial activities. Wine sales are related to the agricultural business on the property, and a wedding is a facility rental not related to agriculture on the property.

Enforcement issues. Lack of compliance/enforcement by the counties and the Commission could create a rule where no events are tolerated. The addition of commercial activities to the Management Plan came during the last update, and the actions of a few can ruin it for everyone. Better regulation of commercial events is the ideal solution; however, enforcement has always been a significant challenge in the NSA.

Negative impacts of commercial events. Participants cited the following: music and noise (the Management Plan does not regulate noise), increased traffic on county roads can obstruct farm activities, events can detract from community and privacy, concern for wildlife protections.

Events and commercial activities impacting quality of life. These include: weddings, farm-to-table dinners, “one-off” events such as running and bike races.

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Value-added ag opportunities not related to tourism and recreation. Participants felt that a better understanding of those opportunities (such as meat processing) is important.

Restrictions on wineries. There are lots of existing rules and regulations in the wine industry that regulate commercial events and activities in both Washington and Oregon. Using their rules creates a balanced playing field for folks who work in the NSA, although not necessarily across state borders.

Topic: Permitting Process Needs Improvement

Consider providing options for phased development and long-term permits. It was suggested to reword “phased development” to “planning ahead for applicant and review agency” to indicate the intent is to be forward-thinking and consider the big picture of certain projects. Consider ag producers’ need to respond to market conditions, an onerous permitting process limits their ability to respond.

Improving the experience, reduce costs and frustrations for landowners. Make the development review process more transparent and straightforward by providing a checklist for applications, list of allowable uses, timeline for review, and list of possible surveys needed, clear standards for professional reports and mitigation plans. Provide assistance to landowners outside of the permitting process, by having online resources for landowners on the website.

Coordination to improve process. Regular communication between Gorge Commission and County Planners to ensure consistency in implementation of guidelines and alignment with state and local regulations. Clarify the roles and expectations with review agencies like state wildlife agencies to improve timing and coordination.

Agency staffing improvements. Increase the Gorge Commission’s budget and encourage staff retention. Have in-house expertise in areas such as agriculture, protected resources, etc.

Promoting conservation and restoration projects (see also Environmental Protections breakout). Allow confirmation from review agencies for permit certainty prior to permit for conservation work such as precommercial thinning, fuels treatment. Increase coordination and communication with soil and water conservation districts and NRCS for other “good projects”.

Reclassifying some uses as expedited to improve process. Allow minor ag structures with no impacts to resources. Agricultural uses should be expedited because what is profitable in agricultural changes, sometimes rapidly.

Enforcement. There needs to be more post-permit inspections and additional follow up by permitting agencies. There is some incentive to do after-the-fact review rather than go through the process Tighten or clarify the standards for agricultural dwellings.